

Notice of Allowability

Application No.

10/689,409

Examiner

Randolph Chu

Applicant(s)

FERRANTE ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/9/2007.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Examiners Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiners amendment was given in a telephone interview with Kyle Eppele on September 5, 2007.

The Application has been amended as follows:

Claim 1, line 3, "a reference digital image" has been changed to "reference digital images".

Claim 1, line 22, "selecting a stored enhancement function" has been changed to "selecting one of the stored first and second enhancement functions".

Claim 1, line 24, "stored enhancement function" has been changed to "selected enhancement function".

Claim 7, line 3, "a digital image" has been changed to "digital images".

Claim 7, line 12, "the first enhancement functions" has been changed to "the first enhancement function".

Claim 7, line 16, "a stored enhancement function" has been changed to "one of the stored first and second enhancement functions".

Claim 13, lines 5-6, "Image receiver capable of receiving a digital image and of passing the digital image to the processor" has been changed to "Image receiver capable of receiving digital images and of passing the digital images to the processor".

Claim 13, line 35, "a stored enhancement function" has been changed to "one of the stored first and second enhancement functions".

Claim 13, line 39, "stored enhancement function" has been changed to "selected enhancement function".

Allowable Subject Matter

3. Claims 1-22 are allowed.

4. The following is an examiner's statement of reasons for allowance: The closest prior art (George US 6459818 and Adelson et al. US 5,526,446) discloses an image enhancement system that generates an enhancement function from a degraded version of a reference image (abstract). But, the limitation "deconvolution unit that deconvolves first and second reference images to generate first and second enhancement functions and storing indexed first and second enhancement functions according to degree of degradation and applying one of the stored first and second enhancement functions to

new digital image based on a degree of degradation of the new digital image to enhance the new digital image" recited in independent claims 1, 7 and 13 in combination with the other features of the claims are not recited or suggested by the prior art of records.

Claims 2-6, 8-12 and 14-22 are allowed because they are depended on independent claims 1, 7 and 13.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randolph Chu whose telephone number is 571-270-1145. The examiner can normally be reached on Monday to Thursday from 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on 571-272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RIC/



SAMIR AHMED
PRIMARY EXAMINER